

28 APR 2006

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

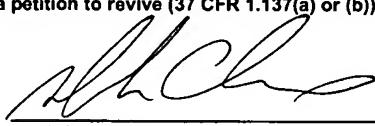
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|--|---|--|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 3202 US0P U.S. APPLICATION NO. (If known, see 17 CFR 1.5) 10/577561 |
| INTERNATIONAL APPLICATION NO. PCT/JP2004/016457 | INTERNATIONAL FILING DATE October 29, 2004 | PRIORITY DATE CLAIMED October 31, 2003 |
| TITLE OF INVENTION PYRIDINE COMPOUNDS AS INHIBITORS OF DEPEPTIDYL PEPTIDASE IV | | |
| APPLICANT(S) FOR DO/EO/US Satoru Oi; Hironobu MAEZAKI; Nobuhiro SUZUKI | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| Items 11 to 20 below concern document(s) or information included: <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. Cited References</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Return Postcard; Certificate of Express Mailing; PCT Request; Cover Page International Application; Forms PCT/IB/301,304,308; ISR</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/577561 | INTERNATIONAL APPLICATION NO. PCT/JP2004/016457 | ATTORNEY'S DOCKET NUMBER 3202 US0P | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|------------------------|--------------|-----------------------|------|--|--------------|---|----------|-----------------------|----------|--------------------|---|---------|------------|------|---|--|--|------------|------|--------------------------------------|--|--|-------------|--|
| 21. The following fees are submitted: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee..... \$500.00 TOTAL OF ABOVE CALCULATIONS = \$1000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | | | | | | | | | | | | | | | | | | | | | | | | |
| 427 - 100 = | 327 /50 = | 7 | | | | | | | | | | | | | | | | | | | | | | | | | |
| x \$250.00 \$ 1,750.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>21</td> <td>- 20 = 1</td> <td>x \$50.00</td> <td>\$ 50.00</td> </tr> <tr> <td>Independent claims</td> <td>2</td> <td>- 3 = 0</td> <td>x \$200.00</td> <td>\$ 0</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> <td>\$ 0</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 2,800.00</td> <td></td> </tr> </tbody> </table> | | | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | Total claims | 21 | - 20 = 1 | x \$50.00 | \$ 50.00 | Independent claims | 2 | - 3 = 0 | x \$200.00 | \$ 0 | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$ 0 | TOTAL OF ABOVE CALCULATIONS = | | | \$ 2,800.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 21 | - 20 = 1 | x \$50.00 | \$ 50.00 | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims | 2 | - 3 = 0 | x \$200.00 | \$ 0 | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$ 0 | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | \$ 2,800.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = \$ 2,800.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th colspan="2">TOTAL NATIONAL FEE =</th> </tr> </thead> <tbody> <tr> <td colspan="2">\$ 2,800.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> </tr> <tr> <td colspan="2"> <table border="1"> <thead> <tr> <th colspan="2">TOTAL FEES ENCLOSED =</th> </tr> </thead> <tbody> <tr> <td colspan="2">\$ 2,840.00</td> </tr> </tbody> </table> </td> </tr> </tbody> </table> | | | TOTAL NATIONAL FEE = | | \$ 2,800.00 | | Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | <table border="1"> <thead> <tr> <th colspan="2">TOTAL FEES ENCLOSED =</th> </tr> </thead> <tbody> <tr> <td colspan="2">\$ 2,840.00</td> </tr> </tbody> </table> | | TOTAL FEES ENCLOSED = | | \$ 2,840.00 | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 2,800.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th colspan="2">TOTAL FEES ENCLOSED =</th> </tr> </thead> <tbody> <tr> <td colspan="2">\$ 2,840.00</td> </tr> </tbody> </table> | | TOTAL FEES ENCLOSED = | | \$ 2,840.00 | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 2,840.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>Amount to be refunded:</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td colspan="2">Amount to be charged:</td> </tr> </tbody> </table> | | | Amount to be refunded: | \$ | Amount to be charged: | | | | | | | | | | | | | | | | | | | | | | |
| Amount to be refunded: | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount to be charged: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500799</u> in the amount of \$ <u>2,840.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500799</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mark Chao, Ph.D., JD Takeda Pharmaceuticals North America, Inc 475 Half Day Road Lincolnshire, IL 60069 USA (847)383-3372 fax (847)383-3409 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  SIGNATURE Mark Chao, Ph.D., JD NAME 37,293 REGISTRATION NUMBER For Customer No. 23,115 | | | | | | | | | | | | | | | | | | | | | | | | | | | |

10/577561

IAP 12303-1 PCT/PTO 28 APR 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Based on PCT/JP2004/0016457
Filed: Intl. Filing 29 OCTOBER 2004
1st Inventor: Satoru OI
For: Pyridine Compounds as Inhibitors of Depeptidyl Peptidase IV
Atty. Dkt. No. 3202 USOP

Art Unit: tba
Examiner: tba
Allowed:
Batch:
Paper No.:

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

USPS EXPRESS MAIL LABEL. No. 684084785 US

DATE IN: April 28, 2006

Itemized Papers/Items:

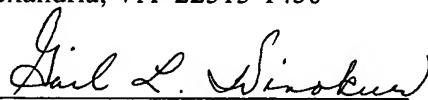
1. This Certificate of Express Mailing and Return Postcard (2 pages)
2. Transmittal Letter for Filing under 35 USC 371 (2 pages X 2)
3. PCT Request (5 pages)
4. Specification - total pages 427, including Claims 1-21 (5 pages), and Abstract (1 page)
5. Copy of executed Declaration and Power of Attorney (4 pages)
6. Copies of Forms PCT/IB/301, 304, 308 (6 pages)
7. Copy of Cover Page International Application (WO 2005/041962) (1 page)
8. Copy of International Search Report (5 pages)
9. Preliminary Amendment (12 pages)
10. Information Disclosure Statement (1 page), Forms PTO/SB/08A and SB/08B (5 pages), cited references (26)
11. Copy of executed Assignment (2 pages), and Recordation Cover Sheet (1 page X 2)

The undersigned hereby certifies that the above itemized papers are together being deposited with the Express Mail Post Office to Addressee service of the United States Postal Service (USPS) in an envelope with sufficient postage, having the USPS Express Mail Label No. shown above, and addressed to:

MAIL STOP PCT
P.O. BOX 1450
Commissioner for Patents
Alexandria, VA 22313-1450

on this date, 4/28/06

Dated: 4/28/06


Gail L. Winokur

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
475 Half Day Road
Lincolnshire, IL 60069 USA